

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

PAUL GRAHAME MORGAN

PLAINTIFF

V.

CIVIL ACTION NO. 2:07cv15-MTP

STATE OF MISSISSIPPI, *et al.*

DEFENDANTS

ORDER

THIS MATTER is before the court on the plaintiff's Motion to Substitute Party [123].

Having considered the plaintiff's motion, along with documents made a part of the record of this case and the applicable law, this court finds that the plaintiff's Motion [123] should be GRANTED in part and DENIED in part.

IT IS, THEREFORE, ORDERED:

That the plaintiff's Motion [123] is GRANTED only to the extent that it seeks to have process issued for Dr. Patrick Arnold at the address provided by defendants in document [92];

That the plaintiff's Motion [123] is DENIED to the extent it seeks to substitute or add Chaplin Steven Bounds as a defendant in this matter, and is denied in all other respects. Plaintiff has had ample opportunities to amend his pleadings, and has already done so twice. In addition, plaintiff was allowed to clarify his claims during his *Spears* hearing. Allowing plaintiff to continue to add claims and parties as they arise will only delay the disposition of the numerous claims and parties currently before the court. *See Singletary v. St. Tammany Parish Sheriff*, No. Civ. A. 05-299, 2005 WL 3543826, at *1 (E.D. La. Nov. 17, 2005) (denying plaintiff's motion to amend, reasoning that “[j]ustice does not require that he be allowed to continually amend his complaint to add new claims as they occur At some point, continual revisions to the

complaint to add new claims thwart the ends of justice, in that they delay resolution of the pending claims”).

That the United States District Clerk is hereby directed to issue summons to the defendant **Dr. Patrick Arnold, 6101 Imperatane, Apt. #2721, Albuquerque, NM 87111**. The Clerk shall mail to defendant Dr. Arnold a copy of this order, a copy of the complaint [1], a copy of plaintiff's amended complaint [5], and a copy of plaintiff's second amended complaint [17] by certified mail, return receipt with a notation of “restricted delivery” on the envelope containing these documents. *See* Fed. R. Civ. P. 4(e) and Miss. R. Civ. P. 4(c)(5).

That the defendant shall file his answer or other responsive pleadings in this cause in accordance with the Federal Rules of Civil Procedure and the Local Rules of this court.

The plaintiff should understand that this order allowing process to issue against the above named defendant does not reflect any opinion of this court that the claims contained in the complaint will or will not be determined to be meritorious.

It is the plaintiff's responsibility to prosecute this case. Failure to advise this court of a change of address or failure to comply with any order of this court will be deemed as a purposeful delay and contumacious act by the plaintiff and may result in the dismissal of this case.

SO ORDERED this 21st day of February, 2008.

s/ Michael T. Parker

United States Magistrate Judge